

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, June 15, 1976, at 7:30 P.M.

Present:

Allen M. Smith, Supervisor
George G. Young, Councilman
Francis E. Menendez, Councilman
John Lombardi, Councilman
Jessie Tomlinson, Councilwoman

Also Present: Peter S. Danowski, Jr., Town Attorney

Supervisor Smith called the Meeting to Order at 7:30 P.M. and the Pledge of Allegiance was recited.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the Minutes of the Special Meeting of the Town Board of the Town of Riverhead, held on June 8, 1976, be approved as submitted.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills, submitted on Abstracts, dated June 15, 1976:

General Town	\$16,448.24
Highway Item #1	\$13,087.59
Highway Item #3	\$ 1,784.29
Highway Item #4	\$ 318.69
Capital Projects	\$ 2,556.80
Special Districts	\$ 441.47

Councilman Menendez offered the following resolution which was seconded by Councilwoman Tomlinson.

BE IT RESOLVED, That the following bills, submitted on Abstracts dated June 15, 1976, be approved for payment:

General Town	\$16,448.24
Highway Item #1	\$13,087.59
Highway Item #3	\$ 1,784.29
Highway Item #4	\$ 318.69
Capital Projects	\$ 2,556.80
Special Districts	\$ 441.47

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

REPORTS

Police Department, month of May, 1976. Filed.

Tax Receiver's, dated: June 15, 1976. Filed.

COMMUNICATIONS

Mrs. Laura E. Muehlenthal, 137 Union Avenue, dated 6-9-76, making complaint that the sidewalk in front of her home on 137 Union Avenue is all broken and deeply cracked and is a hazard especially to women wearing shoes with heels.

She further stated that the sidewalks at the south end of the street are beautiful and have been evenly installed. Requesting help in the complaint matter. Filed.

This matter was referred to Alex E. Horton, Supt. of Highways.

Richard Gascoyne, Chairman of the Board of Deaconry of the First Congregational Church of Riverhead, dated 6/10/76, representing a congregation of 312 people, who wholeheartedly support the application for Innovative Projects Program Funding to implement the Riverhead Townscape 1976 Plan.

They state in part: "This plan to preserve and enhance the surviving aspects of buildings and natural phenomena created and enjoyed by past generations in three closely related areas of the Riverhead Hamlet, is an important step toward realizing our commitment to the area in which we live." Filed.

Supervisor Smith stated that the Town Board thanks the First Congregational Church for their support of the program and the grant-in-aid application that has been filed.

He then stated that they have received many letters in support of their efforts and appreciate their interest.

He further stated that all the letters have been forwarded to the Housing and Urban Development people for their evaluation of the Innovative Projects Program.

He then spoke about the fine work that the Highway Department Employees have done in the front of the Town Hall and the volunteer group of young people from 821 East Main Street who helped plant red, white and blue flowers to resemble a flag.

He concluded by thanking the Demchaks for removing their liquor store sign and improving the general looks of the Town Hall area.

UNFINISHED BUSINESS

a) Codification - Supervisor Smith stated that there would be some resolutions pertaining to this subject, later in the evening and the final hearing would be on June 29th, 1976.

b) Erosion Problem - Roanoke Avenue - This matter is still pending.

c) Decision on Proposed Noise Ordinance #45 - Supervisor Smith stated that this matter is still under consideration. He stated further that after the next race at the Riverhead Raceway, all the cars should have the special mufflers.

UNFINISHED BUSINESS - continued:

d) Drainage Petition - Little Bay, Wading River - This matter is under investigation by the Town Board.

e) Carving Board Restaurant application for Building Permit - Supervisor Smith stated that there would be a resolution on this matter later in the evening.

PERSONAL APPEARANCES

Supervisor Smith asked if anyone wished to be heard and the following responded:

Dr. Alfred Smith asked about the boat ramp at Iron Pier.

Supervisor Smith explained that as soon as the permit comes down from Albany, Stan Grodski will begin the work.

Dr. Smith then spoke of Dr. Granttham's qualifications to oppose LILCO'S proposed nuclear plant in Jamesport and defended her position and knowledge of the subject.

He continued talking, at length, about the safety angles re power plants and the transportation of radioactive wastes.

He then read an excerpt from the June 13, 1976 Sunday Press on the danger of radioactive residue for thousands of years to come, after the plant's usefulness has been exhausted.

Paul Meyer talked about having the "new business" part of the Meeting further along in the evening to give more people a chance to talk.

Roy Hooper complained about the new Supervisor not doing anything in the last six months and asked what happened to the financial investigation that Mr. Smith was supposed to make.

Supervisor Smith stated as follows: "The State Audit Report was filed approximately mid April and a copy was subsequently forwarded to Mr. Leonard."

He continued by saying that instead of a surplus of \$150,000, there was only \$18,000, which meant that the budget had to have a lid on it, until the \$132,000 was made up.

He then said that \$7,000 of that \$18,000, was under the Welfare Program and had to be returned to the County therefore necessitating the curbing of programs "to the tune of \$40,000".

Mr. Hooper then asked what happened to the sizeable amount of money taken in at the Town Dump for sand and junk.

Supervisor Smith asked Mr. Hooper to have a seat and he would come back to him after the public hearing.

He then recessed the Meeting to hold a Public Hearing on the Extension of the Riverhead Fire District.

PUBLIC HEARING - 8:00 P.M.

Town Clerk submitted affidavits on posting and publishing Public Notice Calling Public Hearing for June 15th, at 8:00 P.M. to consider the Extension of the Riverhead Fire District and the Dissolution of the the Calverton, Aquebogue and Roanoke Fire Protection Districts.

The affidavits were ordered to be placed on file.

Supervisor Smith explained about the Fire Districts and Fire Protection Districts as follows: "There are several Fire Districts within the Town of Riverhead, Wading River, Manorville, Riverhead and Jamesport Fire Districts. Those Districts do not cover the entire Township of Riverhead. There are three areas that are known as the Aquebogue, Roanoke and Calverton Fire Protection Districts, where if you happen to live within those districts, you are really not represented by a Board of Fire Commissioners and/or serviced by a Fire Department. Your fire protection is provided by the Town Board of the Town of Riverhead under a contract.

Now historically these three protection districts have been represented and protected by a contract that existed between the Town Board of the Town of Riverhead and the Riverhead Fire District. When such contract comes into existence by statute, it is subject to the veto or review by the Riverhead Fire Department. The Department is the men, the District is the governing body.

The Riverhead Fire Department, through its association, formed a committee to evaluate this situation. The result of that was a one year contract last year for fire protection for the three districts at a cost of \$40,000. The recommendations of the men of the Department are that the contract be increased so that there be an equitable distribution of burden between the Fire Districts and the Fire Protection Districts and a further recommendation of that body to the Board of Fire Commissioners was that because of the fact that these men of the Riverhead Fire Department are in fact protecting these three Fire Protection Districts, these three Protection Districts should be included within the Riverhead Fire District."

Supervisor Smith then asked if anyone wished to be heard.

Robert Pekar, Calverton, stated that he understood that if the district is extended, it would result in higher taxes for those in the Fire Protection Districts and a lowering of taxes within the district that stands now and asked if that was correct.

Supervisor Smith stated that it was.

Mr. Pekar asked what additional services would be gained by dissolving the Protection Districts and extending the Fire District.

Supervisor Smith explained that the resolutions of both the Fire Department and the Board of Commissioners state that they will proceed to establish what are known as zones, with reference to the tax rate - the first zone being within the Riverhead Water District and the second would be that area beyond.

PUBLIC HEARING - continued:

He further stated that in actuality, the zone that had hydrant service would pay a higher tax rate and the area without hydrant service would pay a lower rate.

Discussion followed.

Mr. Pekar then stated that as the western part of the Town of Riverhead develops and population growth increases, there should be more sub-stations and asked if there were any plans to that effect.

Alden W. Young, Fire Commissioner stated that naturally if the population growth increased to such a degree, more sub-stations would have to be built, but right now the conditions didn't warrant any more sub-stations.

He then talked about the Fire District Budget and the fact that the Fire Protection Districts weren't being charged as much as they should be.

Harold Mezick, Aquebogue, asked if the Fire Insurance Companies contributed anything to the District.

Supervisor Smith explained that 2% of each policy that is written is returned to the Association.

Robert Hartmann asked for clarification of tonight's hearing.

Supervisor Smith explained that the hearing was just to hear anybody for or against the extension of the Fire District and dissolution of the Fire Protection Districts, not to determine what the tax rate was going to go up to.

Dr. Alfred Smith:(inaudible)

Richard Park, Aquebogue, stated that if a third of the fires were in the Protection Districts, what part of that third was for Aquebogue.

Alden W. Young stated that the Aquebogue Protection District took in all the area between Kinney Chevrolet and Conklin's Peach Farm.

He further stated that from 1964 to 1974, Calverton had 230 fires, Aquebogue had 254 and Roanoke had 207.

Discussion followed.

John Guy, Fire Commissioner stated that the Riverhead Fire Department has first rate equipment and leaves the Fire House within 3 minutes of each call, which is recorded.

Bob Hartmann stated that he is currently a director of the Suffolk County Fire Board and travels all around the Country with the Drill Team and has been in and out of a lot of Fire Departments and Riverhead has one of the best with a great crew of men operating the Department.

PUBLIC HEARING - continued:

He then said that as good as those men are, there should still be sub-stations in the outlying areas, some day.

He concluded by saying that there are plenty of young men that would be more than happy to man these sub-stations and fight fires.

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:30 P.M. and re-opened the Meeting.

He then recessed the Meeting to call a second Public Hearing.

PUBLIC HEARING - 8:30 P.M.

Town Clerk submitted affidavits on posting and publishing Public Notice Calling Public Hearing for June 15th, 1976, at 8:30 P.M. to consider the adoption of an Ordinance to Amend Ordinance #26, concerning the Zoning Ordinance adopted Sept. 24, 1970 and to provide a definition of the term "Zoning Officer".

The affidavits were ordered to be placed on file.

Supervisor Smith stated that this is one of the Codification Amendments which amends Ordinance #26 by substituting the words "Zoning Officer" for "Building Inspector" throughout the Ordinance.

He then asked if anyone wished to be heard.

No one wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:31 P.M. and re-opened the Meeting.

PERSONAL APPEARANCES - continued:

Supervisor Smith stated to Mr. Hooper that to date, this year, the Town has received \$376.50 in scrap metal receipts, \$300.65 in paper receipts and \$213.75 in sand receipts, which were all credited to General Town Fund.

He went on to speak about the budget deficit and the fact that he never accused John Leonard of anything.

Mr. Hooper accused Supervisor Smith of not changing anything in the Town, since he took office, and spending a lot of money on Attorneys that do his bidding.

Robert Pekar spoke about the tax rate of the farmers, which should be (according to the newspapers) lowered and asked if this was a correct assumption.

Supervisor Smith stated that the data that was referred to was the data that was prepared by the State Board of Equalization and Assessment and continued as follows: "That Board determines what is known as the equalization rate for the Town of Riverhead. It figures into the amount of County tax that we pay here in the Town and the School Aid Formula in Building Bonds."

He then went on to explain the tax rate in Ag Districting and the farmers.

Short discussion followed.

Supervisor Smith recessed the Meeting for five minutes and reconvened at 8:45 P.M.

Supervisor Smith then recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 8:45 P.M.

Town Clerk submitted affidavits on posting and publishing Public Notice Calling Public Hearing for June 15th, 1976 at 8:45 P.M. to consider the adoption of Local Law No. 2 - 1976 concerning the regulation of traffic and parking and fixing penalties for offenses.

The affidavits were ordered to be placed on file.

Supervisor Smith explained that this Local Law is another step in Codification and asked if anyone wished to be heard.

Harold Mezick asked if Meetinghouse Creek Road was included in this Local Law.

Supervisor Smith explained that all traffic and parking regulations were included in this one Local Law.

Mr. Mezick asked if Meetinghouse Creek Road was a No-Parking, Tow-Away Zone.

Supervisor Smith stated that it was parking by permit only.

Mr. Mezick talked at great length about the private beach rights and the poor recreational conditions.

He concluded by urging the Board to reconsider the parking by permit only clause for Meetinghouse Creek Road.

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:55P.M. and re-opened the Meeting.

PERSONAL APPEARANCES - continued:

Charles Wood, Wading River Civic Association, stated that the Wading River Duck Ponds are filling up with mud and asked if they could be cleaned out before their Bicentennial Weekend.

He then spoke of the Highway Department filling in the Wetlands with sand at the public beach in Wading River and asked if the Board was aware that this was going on.

Supervisor Smith asked Mr. Wood the dates of Wading River's Bicentennial Weekend.

Mr. Wood replied that their celebration would take place on June 25th, 26th and 27th.

Christian Meyer, Wading River, complained about Wading River Custom Homes Corp., saying that when they put in roads and sumps, they deliberately plugged up the sumps so that everything washes down into North Wading River Road and into the little ponds, as well, which are polluted enough as it is.

PERSONAL APPEARANCES - continued:

Supervisor Smith stated that they have discussed some subdivision regulations amendments with the Planning Board and as soon as Codification is over, they plan to have a joint Meeting with the Town Board, the Planning Board and the Zoning Board of Appeals to try and iron out some of these problems and amend the regulations by insisting that complaints of his nature be cleared up, before building permits are issued.

Mr. Hooper corrected an error made in the Landmarks' Preservation resolution, at the last Meeting, by saying that the Corwin House was not formerly the Corwin Property, but the Richmond-Skidmore Property.

He then complained, at length, about the Town spending money on these Landmark Houses and the Morrell Property, when they should be cutting the taxes.

RESOLUTIONS

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, On June 1, 1976, the Town Board of the Town of Riverhead passed a resolution with regard to the taking of certain property within the Township of Riverhead, pursuant to the procedure outlined in the Suffolk County Improvement Act, and

WHEREAS, Appropriate legal notices have been placed in the duly designated Suffolk County newspapers, as well as a local newspaper, and

WHEREAS, The Suffolk County Improvement Act requires that twenty (20) days expire from the date of first publication before the mandatory hearing shall be held, and

WHEREAS, June 17, 1976, is the appropriate date of first publication,

NOW, THEREFORE, BE IT RESOLVED, That the previously scheduled hearing date of July 6, 1976, be changed to July 20, 1976, to fall within the ambit of the Suffolk County Improvement Act.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That Highway bills submitted on Abstracts dated June 15, 1976, as follows:

General Repairs Item #1: Mobil Oil Corporation, bills dated May 24, 25, June 1 and June 2, 1976 totalling \$1,152.00, and

Machinery Item #3: Eastern Welding Company, bill dated June 7, 1976 in the amount of \$640.00, be and the same are hereby approved for payment.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

RESOLVED, That Jane E. Hartmann be and is hereby appointed Recreation Aide, effective July 5, 1976 to and including August 13, 1976, to be paid bi-weekly at the hourly rate of \$2.50 and to serve at the pleasure of the Town Board.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, Judith Ann Ribeiro was appointed Recreation Aide, effective July 5, 1976 to and including August 13, 1976, and

WHEREAS, Judith Ann Ribeiro has indicated her inability to serve,

BE IT THEREFORE RESOLVED, That the appointment of Judith Ann Ribeiro made in a Town Board Resolution under date of June 1, 1976, be and is hereby rescinded.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That Nancy C. Hanlon be and is hereby appointed Recreation Aide, effective July 5, 1976 to and including August 13, 1976, to be paid bi-weekly at the hourly rate of \$2.50 and to serve at the pleasure of the Town Board.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the site plan approval letters for Carin Enterprises, Inc., the denial of Charles Andromides and the modification of Burger King, copies of which are attached hereto, are ratified and approved.

Supervisor Smith stated at follows: "The Town Board pursuant to Ordinance #26 with the cooperation of Mr. Wiwczar is given the right of approval or disapproval of site plans. The three ones under consideration this evening were the Shopping Center at Wading River, which was denied, the Carving Board, which was granted with a stipulation and the following one with reference to the Burger King Corp.: 'Gentlemen, Pursuant to the provisions of Section 206E of Ordinance #26 of the Town of Riverhead, please accept this letter as our approval of your site plan with the following conditions and modifications. The Town Board notes that you intend to modify your signs. We point out that no new signs of this type are permitted within the Town of Riverhead, therefore any changes that you might wish in the signs that

RESOLUTIONS - continued:

currently exist, are not hereby granted. This Board has retained the services of Visions, Inc. to aid in a Community Development Program that in part deals with signs. This Board might consider an approval of your proposed signs if the same were examined and approved by Visions, Inc."

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the Supervisor be and he is hereby authorized to enter into a lease between the Town of Riverhead and the Wading River Fire District for the lease of a Community Center, the second floor thereof, to be constructed by the Wading River Fire District, for a period of ten (10) years. The rental therein shall provide for the payment by the Town of Janitorial Services, Utilities for the second floor, Liability Insurance in the amounts carried by the Town, generally, and one-half of the Heating bill. The demised premises shall constitute the second floor of this facility and shall be sufficient to hold two hundred (200) persons. The lease, when executed, shall be subject to the provisions of the Town Law providing for permissive referendums. The Town Clerk is hereby authorized to publish notice of said lease as is provided in the Town Law upon its execution.

Supervisor Smith stated as follows: "This particular resolution deals with the Wading River Community Center as it is known and I would point out to those of you who are here from Wading River, that the Fire District Commissioners are considering building a new facility at the site of your Recreation Center and for some period of time, the facility will not be available to you while the sub-station is being constructed. The purpose of this resolution is to provide for a lease agreement whereby the District will construct a second floor Meeting Room.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Supervisor be and he is hereby authorized to sign a lease with the owner of the Benjamin House, for a period of six (6) months, at a consideration of the abatement of rent, and a painting of the exterior of the building, subject to permissive referendum.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

Supervisor Smith recessed the Meeting for five minutes and reconvened at 9:30 P.M.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

BE IT RESOLVED, That the request of the Bicentennial Parade Committee to eliminate the parking on Main Street on July 3rd, for the purpose of holding the Bicentennial Parade from Osborne Avenue to Prospect Place, be approved, and

BE IT FURTHER RESOLVED, That the no parking will stay in effect, on July 3rd, from 10:00 A.M. to 3:00 P.M.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, A vacancy exists in the Recreation Department for the position of Recreation Aide,

RESOLVED, That Michael Mayo be and is hereby appointed Recreation Aide, effective June 21, 1976 for a period of 30 days, subject to Civil Service approval at an annual salary of \$8,712.00 to be paid bi-weekly and to serve at the pleasure of the Town Board.

The vote, Lombardi stated that he knows Michael Mayo very well and he's sure he will do a good job as Recreation Aide, but he felt that some of the others on the list were more qualified and voted, No, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith stated that if the salary of \$8,712.00 was the beginning salary according to the Value Management Salary and Wage Scale, he would vote, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Young.

WHEREAS, An Ordinance was introduced at a Meeting of the Town Board held on the 1st day of June, 1976, and

WHEREAS, A Public Hearing has been held thereon this 15th day of June, 1976, at which time all interested persons were given an opportunity to be heard thereon,

NOW, THEREFORE, BE IT RESOLVED, THAT this Ordinance be enacted as follows:

BE IT ORDAINED by the Town Board of the Town of Riverhead as follows:

SECTION 1. The provisions of Ordinance #26, adopted 9-24-76, concerning the Zoning Ordinance of the town of Riverhead, are hereby amended by substituting "Zoning Officer" for "Building Inspector" throughout the Ordinance. This change affects the following sections in particular:

Section 204 A 3d (5) and (6)	Section 402
Section 206 E	Section 402 A
Section 301 I (2)	Section 403 B
Section 401	Section 403 C

RESOLUTIONS - continued:

SECTION 2. Section 102 of Ordinance #26, concerning the Zoning Ordinance of the Town of Riverhead is amended by adding the following definition:

ZONING OFFICER--Any person or agency designated by the Town Board of the Town of Riverhead to enforce the provisions of this chapter.

SECTION 3. This Ordinance shall take effect as provided by law.

BE IT FURTHER RESOLVED, That the Town Clerk be and she is hereby authorized and directed to enter said change in the minutes of the Town Board and to publish a copy thereof in the News-Review, the official newspaper of the Town of Riverhead for such purposes, and to post a copy of said change on the sign board and insert said copy in the Town Ordinance Book as maintained by the Town Clerk, all pursuant to the New York State Law.

The adoption of the aforesaid amendment of Zoning Ordinance #26 of the Town of Riverhead as amended shall take effect ten (10) days after such publication.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Proposed Local Law No. 2 - 1976, was introduced at a Meeting of the Town Board held on the 1st day of June, 1976, and

WHEREAS, A Public Hearing has been held thereon this 15th day of June, 1976, at which time all interested persons were given an opportunity to be heard thereon,

NOW, THEREFORE, BE IT RESOLVED, That Local Law No. 2 - 1976, be enacted as follows:

LOCAL LAW NO. 2 - 1976

A LOCAL LAW TO REGULATE TRAFFIC AND PARKING IN THE TOWN OF RIVERHEAD AND FIXING PENALTIES FOR OFFENSES

BE IT ORDAINED by the Town Board of the Town of Riverhead as follows:

SECTION 1. Enactment of local law.

In conjunction with the codification of ordinance and local laws of the Town of Riverhead the following local law is hereby adopted by the Town Board of the Town of Riverhead. Upon the adoption of the proposed Code of the Town of Riverhead, this local law will be included therein as Chapter 101, Vehicles and Traffic, of said Code.

RESOLUTION - continued:ARTICLE IDefinitions§ 101-1. Definitions

A. Vehicle and Traffic Law applicable. The words and phrases used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them by Article I of the Vehicle and Traffic Law.

B. Other definitions. The following words and phrases used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, for the purpose of this chapter:

CURBLINE - The prolongation of the lateral line of a curb, or, in the absence of a curb, the lateral boundary line of the roadway.

HOLIDAYS - New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veteran's Day, Thanksgiving Day and Christmas Day.

OFFICIAL TIME STANDARD - Whenever certain hours are named herein or on a traffic control device, sign or parking meter, they shall mean the time standard which is in current use in this state.

SCHOOL DAYS - Days upon which children attend school in the district concerned.

RESOLUTIONS - continued:

ARTICLE II
Traffic Violations Bureau

§ 101-2. Establishment.

For the purpose of assisting the Town Justices of the Town of Riverhead, who are authorized by law to hold Courts of Special Sessions therein for the disposition of offenses relating to traffic and parking, in disposing of the same, said Town Justices are authorized to establish a Traffic Violations Bureau pursuant to Article 14-B of the General Municipal Law. At the date of enactment of this chapter, this Bureau is functioning under Town Ordinance No. 19.

ARTICLE III
Traffic Regulations

§ 101-3. Stop and yield intersections; railroad crossings.

A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

<u>Intersection</u>	<u>Stop Sign On</u>	<u>Entrance From</u>
Sound Avenue	Hulse Landing Road	North and South
	Fresh Pond Avenue	South
	Edwards Avenue	North and South
	Twomey Avenue	South
	Oakleigh Avenue	North
	Osborne Avenue	South
	Horton Avenue	South
	Park Road	North
	Doctor's Path	South
	Union Avenue	South
	Northville Turnpike	South
	Penny's Road	North
	West Lane	South
	Phillips Lane	South
	Church Lane	South
	Pier Avenue	North
	Manor Lane	South
	Herrick Lane	South
	Roanoke Avenue	North and South
	Twomey Avenue	North
	Middle Road	North
	Mill Road	North and South
	Pulaski Street	South
	Woodcrest Avenue	North and South
	Harrison Avenue	North and South
	Ostrander Avenue	North and South
County Road No. 58	Oliver Avenue	South
	Osprey Street	South
	Mall ramp 500 ft. east of Middle Road	South

RESOLUTIONS - continued:

<u>Intersection</u>	<u>Stop Sign On</u>	<u>Entrance From</u>
Middle Road	Harrison Avenue	South
Wading River-	Ostrander Avenue	South
Manor Road	Gully Road	West
	Remsen Road	East
	Long Pond Road	West
	Schultz Road	South
	Line Road	North
	River Road	North
North Wading	North Side Road	North
River Road	Bayberry Road	South
	Dogwood Lane	South
	Cliff Road	North
	Herod Point Road	North
	Lewin Drive	North
	Sylvan Drive	South
	Ravine Road	North
	Hulse Landing Road	North and South
Sound Road	Oak Street	East
	Creek Road	East and West
	North Side Road	East
	Sunset Boulevard	East
	Oliver Street	West
	Hill Street	West
Merritts Pond Road	Duryea Street	West
Edwards Avenue	Railroad Street	West
Osborne Avenue	Reeves Avenue	East
	Middle Road	East and West
	Raynor Avenue	South
	Woodcrest Avenue	North
	Marcy Avenue	South
	Sweezy Avenue	South
	Harrison Avenue	North
	Hamilton Avenue	South
	Pulaski Street	East and West
	Lincoln Street	East and West
	Railroad Street	East
	Court Street	East and West
Horton Avenue	Middle Road	East and West
Roanoke Avenue	Reeves Avenue	East and West
	Joyce Drive	East
	Ackerly	East and West
	Hallock	East and West
	Merritts Pond	East and West
	Duryea Street	East and West
	Northern Parkway	East and West
	Southern Parkway	East
	Franklin Street	East
	Elton Street	East
	Lincoln Street	West
	5th Street	East

RESOLUTIONS - continued:

<u>Intersection</u>	<u>Stop Sign On</u>	<u>Entrance From</u>
Roanoke Avenue	Northville Turnpike	East
	Railroad Street	West
	3rd Street	East
	1st Street	East
Northville Turnpike	Union Avenue	North and South
	Doctor's Path	North and South
	Middle Road	East and West
	Oliver Street	North
	Fishel Avenue	South
	Newton Avenue	South
	Ostrander Avenue	North and South
	Maple Avenue	South
	East Avenue	South
Swan Pond Road	Line Road	South
River Road	Swan Pond Road	West
	Connecticut Avenue	South
	Railroad Street	East
	Edwards Avenue	North and South
Riverside Drive	Corwell Avenue	South
	Brown Street	North
	Madison Street	South
	River Avenue	North and South
Hubbard Avenue	Fairway Avenue	North
	Sunrise Avenue	North
	Daly Drive	North
Edgar Avenue	Hubbard	West
Meeting House	Peconic Bay Blvd.	East
Creek Road		
	Pine Avenue	East
Peconic Bay Blvd.	Bay Harbor Road	South
	Morningside Avenue	South
	East Street	South
	Lockitt Drive	South
	Tuts Lane	South
	Doug Lane	South
	Oak Drive	South
	Beach Road	South
	Cedar Court	South
	Bay Avenue	North and South
Washington Avenue	North Railroad Avenue	East
	South Railroad Avenue	East
	8th Street	East
	6th Street	East
	Peconic Bay Blvd.	East and West
	3rd Street	East
Depot Lane	North Railroad Avenue	West
	South Railroad Avenue	West
	6th Street	West
	Peconic Bay Boulevard	East and West
	4th Street	East and West
	3rd Street	East and West
	2nd Street	East and West
	Front Street	East and West

RESOLUTIONS - continued:

<u>Intersection</u>	<u>Stop Sign On</u>	<u>Entrance From</u>
Pulaski Street	J.T. Boulevard	West
	Parkway Street	North
	Raynor Avenue	North and South
	Kratoville Avenue	North and South
	Claus Avenue	North
	Marcy Avenue	North and South
	Sweezy Avenue	North and South
	Hamilton Avenue	North and South
	Washington Avenue	South
	Hallett Street	South
Elton Street	East Avenue	North and South
	Ostrander Avenue	North and South
	Newton Avenue	South
	Fishel Avenue	North and South
	Howell Avenue	South
	North Howell Court	North
2nd Street	East Avenue	North and South
	Maple Avenue	North and South
	Union Avenue	North and South
Lincoln Street	Hamilton Avenue	North
	Hallett Street	North and South
Railroad Avenue	Cedar Avenue	South
Corwin Street	Newton Avenue	North
Raynor Avenue	Parkway Street	East and West
	West Street	West
Marcy Avenue	Duane Street	East
	Parkway Street	East and West
Parkway Street	Kratoville Avenue	South
	Claus Street	South
Sweezy Avenue	Parkway Street	East and West
	Lincoln Street	East
Hamilton Avenue	Parkway Street	West
Griffing Avenue	Lincoln Street	East and West
	Railroad Street	East and West
	Court Street	West
	2nd Street	East
Griffing Path	School Street	West
East Avenue	3rd Street	West
	1st Street	West
Union Avenue	Corwin Street	West
Fishel Avenue	Corwin Street	West
Ostrander Avenue	Robinson Parkway	West
	Corwin Street	East and West
	Second Street	East and West
West Street	2nd Street	East and West
	Front Street	East
Center Drive	3rd Street	East and West
	2nd Street	East and West
Point Street	3rd Street	East and West
	2nd Street	East and West
	Front Street	East and West
Willow Street	3rd Street	East and West
	2nd Street	East and West
Green Street	3rd Street	East and West
	2nd Street	East and West

RESOLUTIONS - continued:

B. Yield intersections. The following intersections are designated as yield intersections, and yield signs shall be erected at entrances to such intersections as follows:

<u>Intersection</u>	<u>Yield Sign On</u>	<u>Entrance From</u>
Pier Avenue	Sound Shore Road	West
Church Lane	Tuthill Lane	South
	Phillips Lane	North
Peconic Bay Blvd.	Meeting House Creek Road	South
Hubbard Avenue	Shade Tree Lane	North
Doctor's Path	Reeves Avenue	West
Horton Avenue	Reeves Avenue	East and West
Mill Road	Middle Road	East and West
Osborne Avenue	Mill Road	South
	Youngs Avenue	West
Twomey Avenue	Deep Hole Road	East and West
	Youngs Avenue	West
	Riley Avenue	West
Middle Road	Deep Hole Road	West
Edwards Avenue	Riley Avenue	East
North Country Road	Parker Avenue	East
(Wading River- Manor Road)		
Swan Pond Road	Wading River- Manor Road	South

C. Railroad crossing. All motor vehicles approaching railroad crossings that intersect with public highways and that are not protected by gates and/or signal devices shall make a full stop.

§ 101-4. One-way streets.

The streets or portions thereof listed below are hereby designated as one-way streets, and traffic shall travel on such only in the direction indicated:

<u>Street</u>	<u>Direction</u>	<u>Limits</u>
St. John's Place	North	Between Northville Tpke. and 5th St.
Cedar Street	North	Between Court St. and Railroad St.
The ramp through the median connecting the eastbound and westbound lanes of County Road #58	North	Located at a point approximately 500 feet east of Middle Road

§ 101-5. Speed limits.

(Reserved)

§ 101-6. No-passing zones.

(Reserved)

RESOLUTIONS - continued:§ 101-7. Turns.

(Reserved)

§ 101-8. Weight limits.

(Reserved)

ARTICLE IVTraffic Control Signals§ 101-9. Installation and maintenance.

Pursuant to authority granted by Section 1660 of the Vehicle and Traffic Law, traffic control signals shall be installed, maintained and operated at the following intersections and other locations:

Intersections

Court Street and Osborne Avenue
 Osborne Avenue and Pulaski Street
 Griffing Avenue and Pulaski Street
 Roanoke Avenue and Pulaski Street
 Northville Turnpike and Elton Street
 South Jamesport Avenue and North Railroad Street
 South Jamesport Avenue and South Railroad Street
 Roanoke Avenue and 2nd Street
 Entrance to Billy Blake's and Route No. 58
 Entrance to Riverhead Shopping Plaza and Route No. 58
 Route 58 (Old Country Road) and Osborne Avenue
 Route 58 (Old Country Road) and Northville Turnpike

ARTICLE VParking, Standing and Stopping§ 101-10. Parking prohibited.

The parking of vehicles is hereby prohibited in the locations as follows:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Roanoke Avenue	West	Between Main Street (Route 25) and 2nd Street
Roanoke Avenue	East	From a point 69 feet north of Elton Street to a point 212 feet north of Elton St.

RESOLUTIONS - continued:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Roanoke Avenue	East	From the south boundary of the right-of-way of the Long Island Railroad to a point 100 feet south thereof
Roanoke Avenue	Both	From its intersection with 2nd Street to a point 175 feet south of its terminus on the Long Island Sound
Griffing Avenue	West	Between Main Street (Route 25) and Railroad Street
Court Street	South	Between Main Street (Route 25) and Griffing Avenue
Marcy Avenue	Both	Between Main Street (Route 25) and Pulaski Street
Pulaski Street	North	Between Marcy Avenue and Sweezy Avenue during church services at St. Isidore's Church, except funeral services
East Avenue	Both	Between Main Street (Route 25) and Northville Tpke.
Maple Avenue	East	Between Main Street (Route 25) and 2nd Street
Maple Avenue	East	Between 2nd Street and Northville Tpke.
Union Avenue	East	Between Main Street (Route 25) and 2nd Street
Union Avenue	East	Between 2nd Street and Northville Turnpike
McDermott Avenue	Both	Between Main Street (Route 25) and Peconic River
Pier Avenue	Both	From its intersection with Sound Avenue to its terminus on Long Island Sound
Sound Shore Road	Both	From its intersection with Pier Avenue to its intersection with Penny's Landing Road
Park Road	Both	From its intersection with Sound Avenue to a point 200 feet south of its terminus on Long Island Sound

RESOLUTIONS - continued:

<u>Street</u>	<u>Side</u>	<u>Location</u>
2nd Street	North	From the east curbline of Roanoke Avenue to its intersection with Ostrander Avenue
Pulaski Street	Both	Immediately adjacent to Stotzky Memorial Park
South Jamesport Avenue	West	Between South Railroad Street and Front Street
Hulse Landing Road	East	Between North Wading River Road and its northerly terminus
2nd Road	Both	Between North Country Road and Creek Road
Creek Road	Both	Between Sound Road and its westerly terminus
Edwards Avenue	Both	From its intersection with Sound Avenue northerly to the mean high water line of Long Island Sound, except as provided in § 101-17
Old Country Road (County Road 58)	Both	Between the point where said County Route 58 intersects with New York State Route 25 at its westerly terminus and a point where County Route 58 intersects with New York State Route 25 at its easterly terminus
Mill Road	Both	Between a point 100 feet northerly and a point 100 feet southerly of County Road No. 58
North Wading River Road	South	From its intersection with Hulse Landing Road to a point 498 feet west of said intersection
North Wading River Road	North	From a point 246 feet west of Hulse Landing Road to the intersection of Oak Road
Osborne Avenue	West	Between West Main Street (Route 25) and Court St.
Osborne Avenue	East	From the southeast corner of its intersection with Pulaski Street to its intersection with the northerly line of the Long Island Railroad right-of-way

RESOLUTIONS - continued:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Along the entire curb- line of a cul-de-sac (turnaround)		On all Riverhead Town Highways
Ostrander Avenue	East	From its intersection with the north curblane of East Main Street to a point 187 feet north
Howell Avenue (along the east curblane)		From its intersection with the north curblane of East Main Street (Route 25) to a point 375 feet north
Horton Avenue	Both	From its southerly inter- section with Osborne Avenue to its northerly intersection with Sound Avenue
Sweezy Avenue	West	From its intersection with the northerly right-of-way of Long Island Railroad to a point 325 feet north of its intersection with the northerly right-of-way line of Pulaski Street

§ 101-11. No parking certain hours.

Parking is hereby prohibited during the hours designated upon the following described streets or portions thereof on school days:

<u>Street</u>	<u>Side</u>	<u>Hours</u>	<u>Locations</u>
Pulaski Street	North	7:30 A.M. to 3:30 P.M.	Between Osborne Avenue and Griffing Avenue
Osborne Avenue	East	7:30 A.M. to 3:30 P.M.	From a point 275 feet north of Pulaski St. to a point 375 feet north of Pulaski St.
Harrison Avenue	Both	7:30 A.M. to 3:30 P.M.	Between Osborne Avenue and School Street

RESOLUTION - continued:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Second Street	South	Immediately across from the Riverhead Fire Department
Osborne Avenue	East	Between Harrison Avenue and the north driveway of the Riverhead Grade School
Pier Avenue	Both	From Sound Avenue to the mean high-water line of Long Island Sound
Roanoke Avenue	Both	From Sound Avenue to the mean high-water line of Long Island Sound
Park Road (Reeves Park)	Both	From Sound Avenue to the mean high-water line of Long Island Sound
Sound Shore Road	Both	From Penny's Landing Road easterly to Pier Avenue
Sound Road	Both	From North Wading River Road to Creek Road
Creek Road	Both	Entire length

RESOLUTIONS - continued:

<u>Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
North Griffing Avenue and School Street	Both	7:30 A.M. to 3:30 P.M.	Between Pulaski Street and Harrison Avenue
St. John's Place	Both	7:30 A.M. to 3:30 P.M.	Between 5th Street and Northville Turnpike
South Jamesport Avenue	East	7:30 A.M. to 3:30 P.M.	Along the Jamesport School property
Harrison Avenue	East	7:30 A.M. to 3:30 P.M.	From its intersection with the north curb- line of School Street to a point 960 feet north

§ 101-12. No parking certain hours: roads leading to water.

Parking is hereby prohibited during the hours designated upon any street or portion thereof as follows:

<u>Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
Meeting House Creek Road (in the Hamlet of Aquebogue)	Both	6:00 A.M. to 10:00 P.M.	Beginning at the Harbor Road intersection and thence southerly to the southerly terminus of Meeting House Creek Road
West Street (in the Hamlet of South Jamesport)	Both	6:00 A.M. to 10:00 P.M.	Beginning 126 feet south of the 2nd Street inter- section and thence southerly to the south- erly terminus of West Street
South Jamesport Avenue (in the Hamlet of South Jamesport)	Both	6:00 A.M. to 10:00 P.M.	Beginning at the Front Street intersection and thence southerly to South Jamesport Avenue's southerly terminus

RESOLUTIONS - continued:§ 101-13. Parking time limited.

Parking is hereby prohibited for longer than the time limit designated upon any of the following described streets or portions thereof:

A. Thirty minutes. The parking of vehicles for a period longer than thirty (30) minutes between the hours of 9:00 A.M. and 5:00 P.M., except Sundays and holidays, is prohibited in the following locations:

<u>Street</u>	<u>Side</u>	<u>Location</u>
2nd Street	Both	Between Roanoke Avenue and Griffing Avenue

B. One hour. The parking of vehicles for a period longer than one (1) hour between the hours of 9:00 A.M. and 5:00 P.M., except Sundays and holidays, is prohibited in the following locations:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Railroad Street	South	Between Griffing Avenue and Osborne Avenue
Pulaski Street	Both	Between Osborne Avenue and Sweezy Avenue
Hamilton Avenue	East	From the intersection of Hamilton Avenue and Pulaski Street north to the public parking field

§ 101-14. Parking prohibited except for buses.

The parking of vehicles except buses is hereby prohibited between the hours of 8:00 A.M. and 5:00 P.M., except on Sundays and holidays, in the following locations:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Roanoke Avenue	East	Commencing 117 feet north of East Main Street (Route 25) and thence northerly to a point 182 feet therefrom
East Main Street (Route 25)	North	Commencing 198 feet east of Roanoke Avenue and thence easterly to a point 222 feet therefrom
East Main Street (Route 25)	South	Commencing 207 feet east of Peconic Avenue (Route 24) and thence easterly to a point 255 feet therefrom

RESOLUTIONS - continued:

<u>Street</u>	<u>Side</u>	<u>Location</u>
West Main Street (Route 25)	North	Commencing 96 feet west of Griffing Avenue and thence westerly to a point 146 feet therefrom
West Main Street (Route 25)	South	Commencing 231 feet west of Peconic Avenue (Route 24) and thence westerly to a point 405 feet therefrom
Peconic Avenue (Route 24)	West	Beginning at a point 225 feet south of the intersection of Main Street (Route 25) and Peconic Avenue (Route 24) and thence 46 feet south therefrom

§ 101-15. Trailers.

No person shall park and leave unattended any trailer on any highway or parking lot of the town except in designated areas at a town boat ramp where such trailer is of the type used for the carriage of boats. The Town Board may, by resolution, specifically designate trailer parking areas at town boat ramps. No portion of any state highway shall be designated a town boat ramp.

§ 101-16. Parking fields.

No person shall park a vehicle in a town parking field except within the designated stalls marked on the surface of the lot. Parking in such fields is entirely at the risk of the owner of the vehicle. The Town Board may, by resolution, cause proper stalls to be designated in parking lots.

§ 101-17. Parking by permit.

The parking of vehicles bearing valid beach parking permits is hereby permitted in the following locations where parking is otherwise prohibited:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Edwards Avenue	East	From the mean high-water line of Long Island Sound southerly for a distance of 234 feet but not in such a manner as to prevent use of the boat ramp
Edwards Avenue	West and south	From the mean high-water line of Long Island Sound southerly and easterly for a distance of 180 feet to a private right-of-way, but not in such a manner as to prevent use of the boat ramp; and from the easterly lot line of Lot #1,

RESOLUTIONS - continued:

<u>Street</u>	<u>Side</u>	<u>Location</u>
		Being 136 feet from the northerly side of the above mentioned right-of-way, which 136 feet is reserved for turning, for a distance of 602 feet to the westerly side of Meadow Drive
Meetinghouse Creek Road	Both	From the southerly side of Harbor Road southerly to and along the bulkhead abutting the beach

§ 101-18. (Reserved).

§ 101-19. (Reserved).

§ 101-20. (Reserved).

ARTICLE VI

Removal and Storage of Vehicles

§ 101-21. Authority to impound vehicles.

A. When any vehicle is parked or abandoned on any highway within this town during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, said vehicle may be removed by the Riverhead Town Police.

B. When any vehicle is found unattended on any public highway in the Town of Riverhead where such vehicle constitutes an obstruction to traffic, such vehicle may be removed by the Riverhead Town Police.

C. When any vehicle is parked or abandoned within the Town of Riverhead where parking, stopping or standing is prohibited or said vehicle is parked upon private property without the consent of the owner of such property, such vehicle may be removed by the Riverhead Town Police.

§ 101-22. Procedure, storage and charges.

A. Any vehicle in violation of this chapter, while parked in violation of this chapter or abandoned within the Town of Riverhead and upon which a summons for violation of this chapter has been affixed, shall, upon direction of a peace or police officer, be removed from the point of violation by the Riverhead Police Department or by a person engaged in the towing business within the Town of Riverhead.

RESOLUTIONS - continued:

The owner or owners of such vehicle shall be required to pay the Town of Riverhead a fee for said towing. The owner or owners of such vehicle shall also be required to pay a reasonable storage charge for every day after such removal. Said fees and charges shall be established annually by resolution of the Town Board.

B. Prior to releasing or surrendering such removed vehicle, the Riverhead Police Department shall require the vehicle owner to produce proper identification of ownership. The desk officer of the Riverhead Police Department shall further be authorized and hereby is directed to accept a plea to the summons issued. Upon a plea of guilty, he shall accept bail. Both fines and bail shall be established at rates set by the Riverhead Town Justices. No vehicle shall be released from impoundment by a desk officer until a plea has been entered.

C. An impound form shall be used by police for each removal.

§ 101-23. (Reserved).

ARTICLE VIIParking Meters

§ 101-24. Definitions.

As used in this Article the following terms shall have the meanings indicated:

PARKING METER - Any mechanical device or meter operated by coin, placed or erected for the regulation and measurement of parking and parking time by authority of this Article or any prior ordinance of this Town.

PARKING METER ZONE - Highways or portions thereof designated for the installation and operation of parking meters by this Article or pursuant to authority granted by this Article.

PARKING METER SPACE - Any space within a parking meter zone adjacent to a parking meter which is duly designated for the parking of a single vehicle by lines or markings firmly and durably marked upon the curb or surface of the highway adjacent to such meter.

RESOLUTIONS - continued:§ 101-25. Parking meter zones.

A. Creation of zones. Parking meter zones are hereby established on highways as follows:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Main Street (Route 25)	Both	Between its intersection with Osborne Avenue and its intersection with Union Avenue except where parking, standing or stopping is prohibited by State Traffic Commission orders
Peconic Avenue (Route 24)	Both	Between its intersection with Main Street (Route 25) and the Riverhead-Southampton Town line
Roanoke Avenue	East	Between its intersection with Main Street (Route 25) and its intersection with 3rd Street
Griffing Avenue	East	Between its intersection with Main Street (Route 25) and its intersection with Railroad Street
Court Street	North	Between its intersection with Griffing Avenue and its intersection with Osborne Avenue
Roanoke Avenue	West	Between its intersection with 2nd Street and its intersection with 3rd Street

B. Authority of Town Board to create new zones. The Town Board, by resolution, may designate additional parking meter zones or discontinue any such zone or portion thereof. Resolutions hereunder shall be published once in the official town newspaper, and such publication, together with subsequent installation of or removal of meters, shall constitute public notice thereof.

§ 101-26. Parking time limited.

The parking of vehicles is hereby prohibited for a period longer than one (1) hour from 9:00 A.M. to 5:30 P.M., except Sundays and holidays, in all parking meter zones.

RESOLUTIONS - continued:§ 101-27. Hours of meter operation.

Parking meters shall be in operation from 9:00 A.M. to 5:30 P.M., except Sundays and holidays.

§ 101-28. Fees.

A fee of five cents (\$.05) per hour or portion thereof is hereby established for parking in all parking meter zones.

§ 101-29. Parking meter regulations.

A. General. The Town Board shall be responsible for the purchase, acquisition, installation, operation, maintenance, policing and supervision of parking meters in this town. The Town Board may act by resolution in performing its duties under this section and may, by resolution, delegate such duties to appropriate officers or employees of the town.

B. Installation. In respect to the installation of parking meters:

(1) Pavement markings shall be applied, where practical, outlining parking meter spaces in all parking meter zones.

(2) Parking meters shall be installed immediately adjacent to all parking meter spaces.

(3) No pavement markings outlining parking meter spaces shall be applied at, nor meters installed adjacent to, locations where parking, standing or stopping is prohibited by Section 1202 of the Vehicle and Traffic Law or by this chapter or other ordinance, local law or resolution.

(4) Each parking meter shall indicate by appropriate legend the legal parking time for its space as established herein, the hours the meter is in operation, the maximum parking time allowed and days not in operation.

C. Operation. In respect to the operation of parking meter.

(1) Each parking meter shall operate so as to indicate that the appropriate fee has or has not been deposited in such meter and that the space adjacent to such meter is or is not legally occupied.

(2) Each parking meter shall indicate the balance of the parking time for which the fee has been paid, and shall display a signal indicating the expiration of the time period associated with the deposit of fees.

RESOLUTIONS - continued:

D. Collections. In respect to the collection of fees deposited in meters, it shall be the duty of the Police Department to make regular collections of such fees and deposit the same as required by law, giving receipts for such deposits to the Supervisor.

§ 101-30. Offenses.

A. Specific offenses. No person shall:

(1) Park a vehicle across a parking space pavement marking or in a position not entirely within the area designated by such markings.

(2) Park a vehicle in a parking meter space during the hours of parking meter operation without immediately placing the appropriate fee in the adjacent meter.

(3) Park a vehicle or suffer or permit a vehicle of which such person is the owner to remain parked or suffer or permit a vehicle of which such person is the operator to remain parked, in a parking space of any parking meter zone during the hours of parking meter operation while the adjacent meter is displaying a signal indicating the expiration of time associated with the deposit of fees.

(4) Deposit or attempt to deposit any slug or thing other than a United States coin in a parking meter.

(5) Deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter.

B. Registered owner liable. The registered owner of any vehicle found to be parked in violation of this Article is liable, together with the actual operator, for any fine or penalty prescribed herein.

§ 101-31. Penalties for offenses.

Every person convicted of a traffic infraction for a violation of any provision of this Article which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof, be punished by a fine of not less than one dollar (\$1.) and not more than fifty (\$50.) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second conviction within eighteen (18) months thereafter, such person shall be punished by a fine of not more than one hundred dollars (\$100.) or by imprisonment for not more than twenty (20) days, or by both such fine and imprisonment; upon a third or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment.

RESOLUTIONS - continued:§ 101-32. Enforcement; duties.

A. Generally. It shall be the duty of the Meter Officer of the Town of Riverhead to enforce the provisions of this Article, under such procedure as may from time to time be prescribed by resolution of the Town Board.

B. Violation reports. The Meter Officer shall report to the Town Board all apparent violations of this Article, and such report shall include the registration plate number of the vehicle involved, the date and time of the violation, the exact nature of the offense, the name of the operator, if ascertainable, together with other pertinent facts.

C. Notice to offenders. An officer noting an apparent violation of this Article shall attach to the vehicle parked in violation a notice to that effect, in such manner as makes the notice likely to be observed by the owner or operator of the vehicle, instructing the owner or operator to report to the Justice Court with respect to such alleged violation. The notice shall contain a reference to the offense charged and shall have printed thereon the provisions of Subsection B of this section.

§ 101-33. Suspension from operation.

The Town Board may, by resolution, suspend the operation of parking meters on any day or days.

ARTICLE VIIIPenalties§ 101-34. Penalties for offenses.

A. Except as provided in § 101-31 for violations of Article VII, every person convicted of a traffic infraction for a violation of any provision of this chapter which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof, be punished by a fine of not less than one dollar (\$1.) and not more than fifty dollars (\$50.) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment and shall be deemed a violation; for a second conviction within eighteen (18) months thereafter, such person shall be punished by a fine of not less than one dollar (\$1.) and not more than one hundred (\$100.) dollars or by imprisonment for not more than twenty (20) days, or by both such fine and imprisonment; upon a third or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment.

RESOLUTIONS - continued:

B. The registered owner of any vehicle found to be in violation of the provisions of Article III of this chapter respecting parking is liable, together with the actual operator, for any fine or penalty prescribed herein.

SECTION 2. Repealer.

All local laws, ordinances, resolutions or parts thereof inconsistent with the provisions of this local law are hereby repealed.

SECTION 3. Severability.

In the event that any clause, sentence, section or other part of this local law is declared to be invalid, such invalidity shall not affect the remainder of this local law.

SECTION 4.

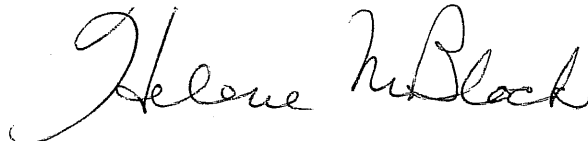
This local law shall take effect as provided by law.

The proposed local law is on file in the office of the Town Clerk of the Town of Riverhead where the same may be inspected during office hours.

NOW, THEREFORE, PLEASE TAKE NOTICE, That, after due consideration and deliberation, the Town Board duly adopted said Local Law.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes. The resolution was thereupon declared duly adopted

There being no further business on motion and vote, the Meeting adjourned at 9:38 P.M.



Helene M. Block, Town Clerk

HMB/mhj